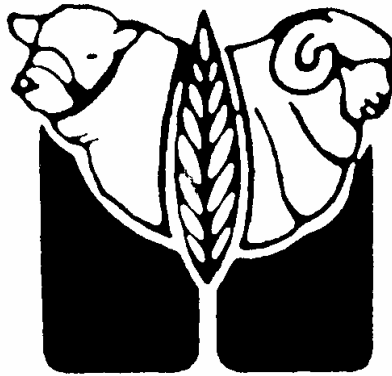


AGENDA



ORDINARY MEETING

TO BE HELD

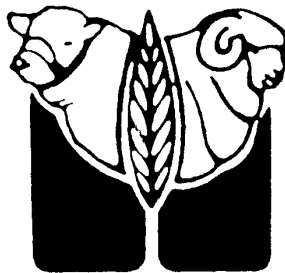
THURSDAY, 21 AUGUST 2008

COMMENCING AT 3.30PM

AT

SHIRE OF BOYUP BROOK CHAMBERS

ABEL STREET – BOYUP BROOK



SHIRE OF BOYUP BROOK

NOTICE OF ORDINARY COUNCIL

MEETING

To:-

Cr R Downing – Shire President
Cr P Marshall – Deputy Shire President
Cr T Ginnane
Cr S Broadhurst
Cr A Piper
Cr B O’Hare
Cr M Giles
Cr K Lamshed
Cr E Muncey

The next Ordinary Council Meeting of the Shire of Boyup Brook will be held on Thursday 21 August 2008 in the Council Chambers, Shire of Boyup Brook, Abel Street, Boyup Brook – commencing at 3.30pm.

Mr Pascoe Durtanovich
Acting/Chief Executive Officer

Date: 21 August 2008

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1. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

1.1 **Attendance**

1.2

Cr R Downing – Shire President
Cr P Marshall – Deputy Shire President
Cr S Broadhurst
Cr E Muncey
Cr A Piper
Cr M Giles
Cr B O'Hare
Cr K Lamshed

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mr Keith Jones (Manager of Finance)
Mr John Eddy (Manager of Works and Services)

1.3 **Apologies**

Cr T Ginnane

1.4 **Leave of Absence**

2. PUBLIC QUESTION TIME

2.1 **Response to Previous Public Questions Taken on Notice**

Nil

2.2 **Public Question Time**

3. APPLICATIONS FOR LEAVE OF ABSENCE

4. PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

5. CONFIRMATION OF MINUTES

5.1 **Ordinary Council Meeting 17 July 2008.**

OFFICER RECOMMENDATION

That the minutes of the Ordinary Meeting of Council held on Thursday 17 July 2008, be confirmed as an accurate record.

5.2 **Special Council Meeting 7 August 2008.**

OFFICER RECOMMENDATION

That the minutes of the Special Council Meeting of Council held on Thursday 7 August 2008, be confirmed as an accurate record.

6 PRESIDENTIAL COMMUNICATIONS

7 REPORTS OF OFFICERS

7.1 MANAGER WORKS & SERVICES

Nil

7.2 MANAGER – FINANCE

7.2.1 Accounts for Payment

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>15 August 2008</i>
Author:	<i>Keith Jones – Manager of Finance</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – List of Accounts Paid</i>

SUMMARY

Report recommends the acceptance and approval of the Schedule of Accounts for Payment.

BACKGROUND

Invoices have been received during the month of July 2008.

COMMENT

Accounts are presented for consideration (see appendix 7.2.1) or where paid by direct debit pursuant to the Council's "Authorisation to Make Payments" policy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations Act 1009, Regulation 12; and Regulations 13(3) (a) (b); 13(1); and 13(4).

POLICY IMPLICATIONS

Accounts are presented for consideration or where paid by direct debit pursuant to the Council’s “Authorization to Make Payments” policy.

FINANCIAL IMPLICATIONS

Account payments are in accordance with the adopted budget for 2008/09 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

- That the accounts for July 2008 as presented totaling \$493,953.82 as-
1. Cheque voucher numbers 16976 -17031 totaling \$102,015.91
- and
2. Accounts paid by direct electronic payments through the Municipal Account totaling \$391,937.91 be endorsed.

7.2.2 June 2008 Monthly Statements of Financial Activity

<i>Location:</i>	<i>Not applicable</i>
<i>Applicant:</i>	<i>NA</i>
<i>File:</i>	<i>FM/10/003</i>
<i>Disclosure of Officer Interest:</i>	<i>none</i>
<i>Date:</i>	<i>15 August 2008</i>
<i>Author:</i>	<i>Keith Jones – Manager of Finance</i>
<i>Authorizing Officer:</i>	<i>Not applicable</i>
<i>Attachments:</i>	<i>Yes – Financial Reports</i>

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended 30 June 2008, and Investment Schedule for the month ended 31 July 2008.

BACKGROUND

Section 6.4 of the Local Government Act 1995 places financial reporting obligations on local government operations.

Regulation 34 (1)–(4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a ‘Monthly Statement of Financial Activity’.

The regulations also prescribe the content of the report.

The reports are attached – see appendix 7.2.2

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996, s34 (1) (a)
Local Government (Financial Management) Regulations 1996, s19 (1) (2) (a) (b)
Local Government (Financial Management) Regulations 1996, s34 (2) (a) (b)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the June 2008 Monthly Statements of Financial Activity as presented, be received.

7.2.3 Adoption of Materiality Policy for 2008/09 Financial Year

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14 August 2008</i>
Author:	<i>Keith Jones – Manager of Finance</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>None</i>

SUMMARY

Consideration and adoption of the 2008/09 policy for material variances.

BACKGROUND

The 2008/09 budget has been passed by Council on 17 July 2008. There was an omission with regard to the material variances policy and needs to be adopted.

COMMENT

Section 34(5) of the Local Government (Financial Management) Regulations 1996 states:-

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

CONSULTATION

External Auditors
Chief Executive Officer

STATUTORY OBLIGATIONS

Local Government Act 1995 Local Government (Financial Management) Regulations.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Not applicable

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Not applicable
- **Economic**
Nil
- **Social**
Not applicable

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That for the purpose of reporting variations in any financial reports requiring comparison between actual, monthly projections and budgets, the Shire's policy is that any variation which exceeds 5% or \$1,000, must be reported.

7.3 ACTING CHIEF EXECUTIVE OFFICER

7.3.1 Subdivision Application (WAPC Ref 138180) Donnybrook Road

Location:	<i>Lots 7472 & 8245 Donnybrook Road</i>
Applicant:	<i>RAS Machin</i>
File:	<i>AS12216, AS12218</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>12th August 2008</i>
Author:	<i>Geoffrey Lush (Council Consultant)</i>
Authorizing Officer:	<i>Pascoe Durtanovich (Acting CEO)</i>
Attachments:	<i>Yes - 1 Existing Lots 2 Proposed Lots</i>

SUMMARY

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission. The subject land comprises of Lots 7472 & 8245 Donnybrook Road (as shown in Attachment 1).

The application is to relocate the common boundary of the lots. No additional allotments will be created.

The subdivision concept is shown in Attachment 2. For clarity this is a prepared diagram and not the actual plan included with the application.

The subject land is owned by L Beadle and GA & RW Beattie.

BACKGROUND

The subject land is located approximately 5kms north of Boyup Brook on Donnybrook-Boyup Brook Road and is situated opposite Rainoldi Road.

As shown in Attachment 1, subject land comprises allotments. Lot 7472 has an area of 0.9712ha and Lot 8245 has an area of 6.6444ha.

Both properties are situated between the railway line corridor and a drainage line. There is a house on each lot and both of these have separate access to Donnybrook Road.

COMMENT

No site inspection of the property has been conducted in preparing this report. There are a number of issues which are summarized below.

Drainage Line

The area of land being transferred contains an existing drainage line which is well vegetated. As the southern portion of this will now be associated with the existing dwelling on proposed Lot A, it should facilitate better management.

As there are no new buildings being proposed, any prescribed development setbacks from the drainage line are not applicable.

Access

Lots 8245 has direct access to the Donnybrook Road. Lot 7472 has access via an existing unmade road reserve. This appears to be an informal access/driveway which only services this allotment.

As no new lots are proposed, no alterations to the current access arrangements will occur.

CONSULTATION

None

STATUTORY OBLIGATIONS

The subject land is zoned 'Rural' in Town Planning Scheme No 2.

Clause 5.1 of the Scheme states that in considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to:

- i) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;
- ii) the need to protect the area from uses which will reduce the amount of land available for agriculture;
- iii) the need to preserve the rural character and rural appearance of the area; and
- iv) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.

The proposed subdivision does not conflict with the above matters.

POLICY IMPLICATIONS

None

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

In relation to boundary realignments the draft Rural Strategy recommendations include:-

- Council's objective is to encourage the redesign of existing (multiple lot) farms into a more appropriate configuration of lot boundaries relative to land management and land capability factors, subject to maintenance or reduction of the original number of lots.
- In the case of lifestyle lots, the land is located within 10kms of a major townsite.

- That for the purpose of the above provision a “lifestyle” lot is defined as having a minimum area of 20 hectares (being within 10kms of the townsite).

The existing lots have areas less than the prescribed 20ha minimum area. However they are basically an anomaly from previous development and the above provision is not intended to restrict this type of proposal.

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known environmental issues.
- **Economic:**
There are no known significant economic issues.
- **Social:**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 7472 and 8245 Donnybrook Road (as shown on plan ref 2934.dgn) on the basis that the application is considered to:-

- To be consistent the provisions for rural subdivision outlined in the Shire of Boyup Brook Town Planning Scheme No.2 and WAPC DC 3.4 Subdivision of Rural Land; and
- Facilitate improved land management of the site.

Note :- No conditions of approval are required.

7.3.2 Subdivision Application (WAPC Ref 138000) McAlinden Road

Location:	<i>Lot 1 McAlinden Road and Lots 2914 & 3832 Chapman Road</i>
Applicant:	<i>Harley Survey Group</i>
File:	<i>AS3660</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th August 2008</i>
Author:	<i>Geoffrey Lush (Council Consultant)</i>
Authorizing Officer:	<i>Pascoe Durtanovich (Acting CEO)</i>
Attachments:	<i>Yes - 1 Location Plan 2 Subdivision Concept 3 Subdivision Application Plan</i>

SUMMARY

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission. The subject land comprises of Lot 1 McAlinden Road and Lots 2914 and 3832 Chapman Road (as shown in Attachment 1).

The application is to subdivide the land into six (6) allotments with five of these allotments having a minimum area of 80 hectares and one lot having an area of 17.6 hectares. Specifically:-

- Lot A – 82.24ha
- Lot B – 17.64ha
- Lot C – 103.88ha
- Lot D – 80.21ha
- Lot E – 100.50ha
- Lot F – 100.50ha

The subdivision concept is shown in Attachment 2. For clarity this is a prepared diagram and not the actual plan included with the application. The application plan is included as Attachment 3.

The subject land is owned by SP Harley.

BACKGROUND

The subject land is located approximately 40 kilometres northwest of Boyup Brook via Donnybrook- Boyup Brook Road and McAlinden Road.

As shown in Attachment 1, subject land comprises of two separate areas situated to the north and south of McAlinden Road. The property is currently used for farming purposes (grazing and cropping).

Lot 1 has an area of 402.75ha and is used for farming purposes with associated farm improvements, such as dams, fences and access roads. It exists in two sections divided by an un-constructed road reserve.

Lot 2914 has an area of 73.51ha and contains the farm house, associated sheds and infrastructure. While this lot fronts Chapman Road the driveway access is directly to McAlinden Road via the adjoining lots (which are not part of this application).

Lot 3832 has an area of 8.73ha and is adjacent to Lot 2914. It is vacant with frontage to an un-constructed road reserve extending from Chapman Road.

Lot 1 adjoins the Greater Preston National Park (previously the Goonac Conservation Park) on both the northern and southern sides while Lot 3832 adjoins State Forest. The surrounding properties are also used for general farming.

The subject land is connected to electricity and telecommunications, via an aerial supply.

All proposed lots have been arranged to allow for direct road frontage to a gazetted road. Lots D, E and F will require the construction of approximately 1.4km of road. It is then proposed that Lots E and F will then be access by two battleaxe legs, each being 10m wide and approximately 360m in length.

COMMENT

No site inspection of the property has been conducted in preparing this report. There are a number of issues which are summarized below.

Strategic Justification

The application contains general information regarding land capability, tenure and planning objectives. No detailed or site specific land capability, hydrological or farm management/development information or reports have been provided.

The application states that:-

The existing rural use of the property will be augmented by a more flexible subdivision pattern that will attract investment in continued farming, including the promotion of a wider range of agricultural activity in line with the identified land use categories for this planning unit...

The proposed subdivision will provide for the land to remain in agricultural production. The general high capability of the land as identified in the Warren-Blackwood Rural Strategy illustrates that the existing use can be diversified in the future. The proposed lot sizes will make this diversification more economic due to the relatively smaller lot areas required for many alternative agriculture enterprises. This will make the purchase of land much more affordable for prospective operators when compared to the existing size of Lot 1. The subdivision also ensures that all new lots have appropriate road access and water supply through existing and potential dam catchment areas. The lot sizes also remain of a size suitable for continued broad acre farming, as shown by surrounding land holdings of similar size."

The creation of lots exceeding 80 hectares in size may well be able to be justified on this basis. The relevant provisions of Council's draft Rural Strategy are referred to later in this report.

Lot B

The second issue associated with this application is that it is proposing to relocate a smaller existing lot, being Lot 3832, from its present position. In effect this is a boundary realignment and is subject to different provisions within the State and Regional Planning Frameworks. The relevant provision of Council's draft Rural Strategy affecting this are referred to later in this report.

Proposed Lot B has an area of 17.64ha.

The application states that the justification for this allotment is that:-

1. It is a relocation of the existing Lot 3832 which only has an area of 8.73ha.
2. Locating the lot on McAlinden Road is considered to be a more appropriate location; and
3. There are other similar sized lots in the locality.

The assumption being made is that the existing Lot 3832 is able to have for a dwelling constructed on it and in fact it is this entitlement which is being transferred to the new lot. This may be open to speculation as:-

- Lot 3832 appears to have intersecting drainage lines with associated setback requirements; and
- It does not have any practical means of access.

In addition to this other issues associated with this lot include:-

- a) "relocating" the lot to a separate property approximately 2.4kms away could be considered to be beyond the scope of a boundary realignment.
- b) The lot should be a minimum size of 20ha.
- c) Lot 3832 is presently on the edge of the local farming operations. Moving it to McAlinden Road will place it in the centre of this area where it is more likely to result in land use conflict.

Item (b) above relates to the original recommendations of the draft Rural Strategy which recommended a 20ha minimum lot size where such lots are located more than 10kms from the townsite. The Planning Commission has now directed that this be changed to a 40ha minimum lot size.

Roads

Lots D, E and F will have frontage to the unnamed road that severs existing Lot 1. Lots E and F will have frontage via 10m wide battleaxe legs which will be approximately 350m in length.

The application states that:-

The unnamed road to serve Lots D, E and F is currently built to a standard suitable for farm access. Any upgrading of this road to allow for it to serve the new lots will be carried out in accordance with Shire of Boyup Brook requirements.

This road must be constructed to a standard which provides all weather access to normal residential vehicles as well as farm machinery, service vehicles and emergency services. Typically this means a 6m wide formed and drained gravel surface.

As the construction of this road will not service any other private properties, then the cost of upgrading the road should be fully borne by the applicant.

The WAPC will often require that where the existing road reserve will service multiple properties that any upgrading contribution must be negotiated with the Council. It must be made clear to both the applicant and the Commission that Council will consider this to be a new subdivision road.

As the access to Lot A (existing dwelling) does not alter then no upgrading of Chapman Road is required.

Due to the small number of lots and the existing standard and use of McAlinden Road no contribution to future upgrading the road is considered necessary at this time.

Council's Manager of Works and Services will be inspecting the roads and providing updated comments at the Meeting.

State Forest

The subdivision of land adjacent to State Forest will always create concern from the Department of Environment and Conservation. This is in relation to setbacks from the forest areas and also from associated activities be they for recreation or forest management purposes. These issues are heightened when the forest is a National Park.

The second issue is that the construction of the unmade road to service the subdivision will also provide access to the National Park.

The Department of Environment and Conservation will address such issues in its reply to the Planning Commission.

Catchment Management

As the subject land is within a declared catchment the Department of Water will assess the application.

The draft Rural Strategy also promotes catchment management principles including:-

Encourage development proposals that offer tangible measures to protect and enhance the remaining native vegetation within freehold land, particularly within strategically important riparian zones.

The specific “environmental measures” that Council might request have not been formulated within the Draft Rural Strategy. It is assumed that in this situation such measures might include the potential rehabilitation of stream side areas within the property.

Council could recommend that some form of rehabilitation occur as part of the subdivision.

Fire Management

The application does not include any fire hazard assessment in accordance with FESA and Planning Commission requirements. The fire issue is relevant for those areas of the site adjoining remnant vegetation ie state forest.

The creation of a single access road in areas with a high bush fire hazard is not recommended. In regard to the subdivision appropriate measures will need to be taken to ensure the protection of dwellings on Lots E and F.

This can be addressed by the preparation of a fire management plan for the site as a condition of approval.

CONSULTATION

None

STATUTORY OBLIGATIONS

The subject land is zoned ‘Rural’ in Town Planning Scheme No 2. The general objective of the Rural Zone is

The Rural Zone is intended primarily for the preservation of agriculturally significant land. Land within the Scheme Area is capable of high levels of agricultural production and is therefore a valuable resource worthy of protection. Council shall therefore seek to ensure that no action is taken to jeopardise that potential.

Clause 5.1 of the Scheme states that in considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to:

- i) the need to protect the agricultural practices of the Rural zone in light of its importance to the District’s economy;
- ii) the need to protect the area from uses which will reduce the amount of land available for agriculture;
- iii) the need to preserve the rural character and rural appearance of the area; and
- iv) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land’s suitability and capability for further development.

POLICY IMPLICATIONS

None

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

General

The Town Planning controls which are applicable to any subdivision or development of the property exist at a State, Regional and Local level.

The State Planning Framework comprises of a series of Planning Policies which the WAPC must have regard to in considering subdivision applications. The Council has also had regard to these in preparing its Rural Strategy. The most important State

Policy is the Agricultural and Rural Land Use Policy which contains a presumption against any rural subdivision.

The Regional Planning Framework consists of the strategies for the Warren Blackwood Region being the Warren Blackwood Regional Strategy and the Warren Blackwood Rural Strategy (WBRS).

Draft Local Planning Strategy

Within the draft Rural Strategy the subject land is included in the BBR1 Northern planning policy precinct. This notes that most of the precinct area is within the catchment of the Wellington Dam. The objective for the precinct is to:-

To provide for sustainable agricultural land use and tree farming in a manner consistent with protection of water resources for possible future public water supply purposes.

The Strategy is also applicable to the application in terms of:-

- Subdivision of rural land; and
- Boundary realignments.

Section 5.2 of the Strategy (Protecting Agricultural Land) notes that:

It is important that careful site-specific consideration be given to proposals for subdivision in order to prevent loss of productive grazing land and minimize the potential for land use conflicts. However in the interests of increasing agricultural diversity it is equally important that due consideration be given to proposals which offer the potential to broaden the Shire's agricultural economic base.

Consequently the Strategy recommends that:

In order to protect the productive capacity of agricultural land and the basis of State, regional and local economies, there is a general presumption against the further subdivision of agricultural land in the Rural (General Agricultural) zone, except where it can be clearly demonstrated that the subdivision will be beneficial to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management on adjoining lands.
Subdivision approved under this criteria shall have a minimum lot size of 80ha.

The above recommendation was requested by the Planning Commission in order to reflect the provisions of the Warren Blackwood Rural Strategy and Statement of Planning Policy 2.5 Agricultural and Rural Land Use Policy.

In relation to boundary realignments the Strategy recommendations include:-

- Council's objective is to encourage the redesign of existing (multiple lot) farms into a more appropriate configuration of lot boundaries relative to land management and land capability factors, subject to maintenance or reduction of the original number of lots.
- In the case of lifestyle lots, the land is located within 10kms of a major townsite.
- That for the purpose of the above provision a "lifestyle" lot is defined as having a minimum area of 20 hectares (being within 10kms of the townsite).

- That areas more than 10kms distance from the townsite the smaller lot shall have a minimum size of 40 hectares.

The Planning Commission is also requesting that where the “smaller lot” has an area for less than 80 hectares then it should contain a minimum of 30ha of Class 1 or 2 agricultural land. This originates from the recommendations of the WBRS for subdivisions relating to intensive agriculture.

SUSTAINABILITY ISSUES

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 1, 2914 and 3832 McAlinden and Chapman Road, McAlinden (as shown on plan ref 13440-01A.dgn) on the basis that the application is considered to be consistent with:-

- Proposed Lots A and C to F exceed the 80ha minimum lot area required by the Warren- Blackwood Rural Strategy, as well as meet the Planning Unit objectives and provisions for planning unit CR1;
- The resultant lot sizes exceed the prevailing lot size in the locality, as well as provide sufficient area for continued broad acre farming, whilst allowing for potential agricultural diversification.
- The proposed subdivision complies with the provisions for rural subdivision outlined in the Shire of Boyup Brook Town Planning Scheme No.2 and WAPC DC 3.4 Subdivision of Rural Land.
- The proposed subdivision complies with the recommendations and objectives of the draft Rural Strategy.

That the Commission be requested to include the following conditions on any approval:

1. That the area of proposed Lot B be increased to a minimum of 20 hectares.
2. That a Section 70A Notification to be placed on the Certificate of Title of the proposed Lot B as follows:

The property is located in an area where traditional farming practices are occurring which may at times affect the amenity of the subject land.

3. The un-constructed road servicing Lots C, D, E and F shall be constructed and drained to Council's requirements and satisfaction. As this road only serves the proposed lots the applicant is responsible for the total cost of the construction, including any applications which may be required for the clearing of existing remnant vegetation.
4. A corner truncation is to be provided at the intersection of McAlinden Road to Council's satisfaction.
5. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.
6. The battleaxe accessway (s) being constructed and drained at the applicant/owner's cost to the specifications of the local government.
7. The applicant/owner entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battleaxe accessway (s).
8. A Fire Management Plan being prepared and implemented to the specifications of the local government.

7.3.3 Vacancy – South West Development Commission Board

Location:	<i>Not Applicable</i>
Applicant:	<i>South West Development Commission</i>
File:	<i>GR/31/003</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th August 2008</i>
Author:	<i>Pascoe Durtanovich, Acting CEO</i>
Authorizing Officer:	<i>Not Applicable</i>
Attachments:	<i>None</i>

SUMMARY

A vacancy exists for a local government appointment to the South West Development Commission's Board of Management.

The Commission has invited nominations from Local Government.

BACKGROUND

The Commission's role is to co-ordinate and promote economic development in the South West Region. Its aims include maximizing job creation, broadening local economies, identifying the need for infrastructure services, providing information and advice to business and ensuring access to government services.

The 10 member board, which meets monthly, sets policy and makes decisions about a broad range of economic development projects and initiatives involving the Commission.

COMMENT

Those nominated as prospective members should possess interest and knowledge relevant to regional communities. Relevant fields of involvement could include business and industry; employment, education and training; tourism and recreation.

Applicants will be assessed on their ability to make a significant contribution to a Board of Management together with a demonstrated involvement in either the economic or social development of the region. Terms of appointment will range from one to three years commencing in November 2008.

The current representative is Cr Peter Monagle, Shire President, Shire of Harvey. The incumbent is eligible to be reappointed for a further 1 year term.

CONSULTATION

Not Applicable

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council does not have a policy on this matter.

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Board sets policy and makes decisions in terms of the long term economic future of the region.

SUSTAINABILITY ISSUES

- **Environmental**
There are no known environmental issues at this stage.
- **Economic**
There are no known economic issues at this stage.
- **Social**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

1. That Cr _____ be nominated for a local government appointment to the South West Development Commission's Board of Management or
2. That no action be taken.

7.3.4 Native Seed Collection

Location:	<i>Shire managed reserves</i>
Applicant:	<i>Landcare Services</i>
File:	<i>EN/31/001</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th August 2008</i>
Author:	<i>Pascoe Durtanovich, Acting CEO</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>None</i>

SUMMARY

Landcare Services has requested permission to collect native seed from Shire controlled land.

This report recommends approval be granted.

BACKGROUND

Landcare Services is an environmentally motivated organization that adheres to the Department of Environment and Conservation (DEC) guidelines on native seed

collection. All staff employed by Landcare Services are fully licensed (Commercial Purposes Licences) and experienced in collecting native seeds.

COMMENT

The primary species the group wish to acquire is *Acacia acuminata* (Jam Wattle), which is located in relative abundance within this region. *Acacia acuminata* is required as a host species in Sandalwood plantations.

CONSULTATION

Not Applicable

STATUTORY OBLIGATIONS

Landcare Services will have to comply with Department of Environment and Conservation guidelines on native seed collection.

POLICY IMPLICATIONS

Council does not have a policy on this matter.

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY ISSUES

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That permission be granted to Landcare Services to undertake native seed collection on Shire vested reserves, with the condition that road safety issues are addressed when collecting from road reserves, and Department of Environment and Conservation guidelines for seed collection are adhered to.

7.3.5 Approval to Conduct a Mechanical Repair Business

Location:	<i>Loc 5231 Six Mile Road, Dinninup</i>
Applicant:	<i>C & L Mechanical Services</i>
File:	<i>AS8250</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th August 2008</i>
Author:	<i>Pascoe Durtanovich – Acting CEO</i>
Authorizing Officer:	<i>Not Applicable</i>
Attachments:	<i>None</i>

SUMMARY

An application has been received to conduct a mechanical repair business from Loc 5231 Six Mile Road, Dinninup.

This report recommends approval be granted.

BACKGROUND

Nil

COMMENT

I understand C & L Mechanical offered a mobile service in the past. They now wish to conduct the business on their rural property in Dinninup.

Under the Shire of Boyup Brook Town Planning Scheme Council approval is required for this activity. In addition the motor vehicle repairers Licensing Board requires that the operator has the approval of the Local Government to conduct the business at the particular location.

CONSULTATION

Not applicable

STATUTORY OBLIGATIONS

Under Town Planning Scheme No. 2 “motor vehicle repairs” is an AA use. The definition of AA use is “a use which Council, in exercising the discretionary powers available to it, may approve under the Town Planning Scheme.

POLICY IMPLICATIONS

Council does not have a policy on this matter.

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with the Shire of Boyup Brook Town Planning Scheme No 2 approval be granted for C & L Mechanical Service to conduct a Mechanical repair service from Loc 5231 Six Mile Road, Dinninup.

7.3.6 Systemic Sustainability Study

Location:	<i>Not Applicable</i>
Applicant:	<i>The West Australian Local Government Association</i>
File:	<i>GR/31/002</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th August 2008</i>
Author:	<i>Pascoe Durtanovich, Acting CEO</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – “The Journey: Sustainability into the Future “ document</i>

SUMMARY

The amended report into the sustainability of Local Government “The Journey” is currently being considered by the industry, prior to a special forum, to be held on the 15th September, 2008.

This report recommends that Council support the amended report.

BACKGROUND

Council considered the first report on the 17th March, 2008 and then again at the Council meeting held on the 17th April 2008.

At the meeting on the 17th April, 2008 Council resolved as follows:-

“That the draft discussion report “The Journey: Sustainability (of Local Government) into the Future” be received and the following comments be forwarded to the South

West Zone of Western Australian Local Government Association, Western Australian Local Government Association, the Department of Local Government and Regional Development and the Minister for Local Government and Regional Development.

1. *Council acknowledges and commends the Western Australian Local Government Association for the manner in which it has progressed and guided the review process.*
2. *That the Chief Executive Officer conduct a self assessment of the Shire of Boyup Brook's sustainability utilizing the sustainability check list in section 10.1 of the report and report back to Council by the 30th June, 2008.*
3. *That Council supports all 61 report recommendations, with the exception of recommendations 42 to 46 inclusive and recommendation 61.*
4. *That recommendations 42 to 46 be noted but not considered until such time as Local Government is fully informed on how local government will function under the Regional Council model, to what extent the Regional Council model will be taken, what will be the consultation process as the model is developed and implemented and who will determine and on what basis, which zone will be chosen as a pilot Regional Council."*

Following same 104 submissions from Local Government on the draft report, many of which were critical on aspects of the report, particularly the "Regional Model", Western Australian Local Government Association has reviewed and modified the document. It is this document and the actions therein that will be discussed by the industry on the 15th September, 2008.

COMMENT

The most significant change is the reduction in the number of recommendations, from 61 to 39 and the considerable watering down of the "Regional Model" concept.

Council will be represented at the forum on the 15th September, therefore a position on the latest report and actions proposed should be determined.

Many of the recommendations from the first report are incorporated in this report and with amendments to the "Regional Model" concept I see no reason for Council to oppose the report.

CONSULTATION

The current report was prepared by WALGA following consideration of submissions from local governments and will be discussed at the September 2008 special forum.

STATUTORY OBLIGATIONS

There are no statutory obligations.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The report is likely to have significant strategic implications in the way Local Government operates into the future.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the amended draft discussion report "The Journey: Sustainability into the Future" be received and the recommended actions therein be supported.

8 COMMITTEE REPORTS

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10 URGENT BUSINESS – BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT

11 CONFIDENTIAL MATTERS

Nil

12 CLOSURE OF MEETING

There being no further business the Shire President, Cr Roger Downing, thanked Councillors and Staff for there attendance and declared the meeting closed at